

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SHANNON MCKEIVER,

Petitioner,

v.

J.A. ECKHARD, THE DISTRICT ATTORNEY
OF THE COUNTY OF MONTGOMERY, and
THE ATTORNEY GENERAL OF THE STATE
OF PENNSYLVANIA,

Respondents.

CIVIL ACTION
NO. 15-2337

ORDER

AND NOW, this 30th day of September, 2016, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after a review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, as well as Petitioner's Objections to that report and Respondents' response thereto, it is hereby **ORDERED** as follows:

1. Petitioner's objections do not raise any argument that undermines the magistrate's conclusion that the petition is untimely.
2. The Report and Recommendation is **APPROVED and ADOPTED**.
3. The petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is **DISMISSED WITH PREJUDICE**.
4. Respondents' Motion for Dismissal of Untimely Petition for Writ of Habeas Corpus (Doc. #14) is **GRANTED**.
5. Respondents' Motion to Defer Further Response to the Petition pending the Court's Determination of the Timeliness of the Petition for Writ of Habeas Corpus (Doc. #15) is **DENIED AS MOOT**.

6. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

s/s Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.